

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

THOMAS WILLIAMSINCLAIR  
RICHEY,

Petitioner,

V.

RON FRAKER.

## Respondent.

CASE NO. C13-5043 RBL-JRC

The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
Creature, United States Magistrate Judge, objections to the Report and Recommendation, if any,  
and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's motion to dismiss or withdraw this petition is granted pursuant to Fed. R. Civ. P. 41(a)(1)(A). The petition is dismissed without prejudice

DATED this 10<sup>th</sup> day of May, 2013.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE